

72-C-353 consol w/this
case

D. C. Form No. 106A Rev.

[illegible]

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-27-72	Petition for removal from Dist. Court of Tulsa County, Okla., filed. hm	
9-27-72	Bond on removal in the amt. of \$500.00, filed. Surety, The Travelers Indemnity Co. hm	
9-27-72	Notice of filing of petition and bond for removal by Steak and Ale, Inc. of Tulsa, defendant, filed. hm	
9-27-72	<u>Answer</u> , filed. hm	
9-27-72	Demand for jury trial, filed. hm	
9-27-72	Acknowledgement of the Clerk of District Court of Tulsa Co. of receipt of copy of notice, petition and bond for removal, filed. ds	
10-12-72	Application of def. to consolidate cases (this case & 72-C-353), filed hm	
10-17-72	Ordered by the Court that case no. 72-C-353 is consolidated w/this case. Pltf to advise court by letter, if they have no objections. (FD-J)r	
10-19-72	Letter from Pltf dated 10-18-72, stating his consent to consolidate case 72-C-353 w/this case. filed. r	
11-2-72	Case set for Pre-Tirals on Thurs. 11-30-72 at 11:30 A.M. (FD-J)r	
11-30-72	Pre-trial hearing held. Parties directed to file requested instructions within 30 days. Def. request all copies of medical reports on plaintiff. Case to be set on Jury docket, plaintiff to prepare pre-trial order. (FD-J)h <i>do not set week of 1-15 to 1-25/73</i>	
12-15-72	Deposition of Gailen Brooks Cannon, for plaintiff, taken by Glen R. Dorrough, CSR., filed. \$25.00 paid by plaintiff. ds	
12-26-72	Pltf's Appl to file Amended Petition, filed. r <i>Mailed w/order</i>	
1-3-73	Order filed, hereby permitting to file Amend. Petition and def. is granted 15 days from this date within which to file answers to Amend. Petitions. (Due 1-18-73) Filed. (FD-J)r (Copies mailed)	
1-3-73	Pltf Sestos Bernice Fuller's AMENDED PETITION, filed. r	
1-3-73	Pltf Wilhelmina Fuller's AMENDED PETITION, filed. r	
<u>1-11-73</u>	PRE-TRIAL ORDER filed. (FD-J)r	
1-12-73	Case set for jury trial 2-7-73 at 9:30 a.m. (FD-J)hm	
1-17-73	<u>Answer</u> of def. to amended petitions, filed. rm	
1-31-73	Defendant's motion to strike case from present jury assignment, filed. ds	
1-31-73	Order filed, that case be stricken from Jury Docket of 2-7-73, with agreement of Pltf. filed. (FD-J)r (Copies mailed)	
3-7-73	Case set for Jury Trials on Tues. 4-17-73 at 9:30 A.M. (FD-J)r	
4-10-73	Pltfs' Motion & Brief filed. r <i>Mailed copy - by Malone</i>	

(CONT)

DATE	PROCEEDINGS	Date Order or Judgment Noted
4-11-73	Deft's Motion to shorten time to take Deposition of Material, filed. r	
4-11-73	Brief in support of Deft's Motion to Shorten time to take Oral Dep. as provided in Rule 14 of the Rules of the N.D. of Okla. filed. r	
4-11-73	Order, that Deft's Motion to Shorten the time of Notice to take said deposition should be granted and the Pltfs' Motion to Quash the Notice and stay the deposition should be overruled and that said deposition hearing should proceed on 4/13/73 at 4:30 P.M. as noticed by deft to Pltfs, filed. (FD-J)r (Copies mailed)	
4-13-73	Return on Civil Subpoena to Prod. Doc., filed. jj Served Clerk of Records of St. John's Hospital 4-12-73.	
4-16-73	Deposition of Joan Aitkenhead on behalf of deft., filed. (\$34.00)g	
4-16-73	Brief, filed by Pltf.s. v Served Homer A. Ruprecht, M.D., with	
4-17-73	Return on Civil Subpoena, filed. / fees of \$22.00. v	
4-18-73	Jury Trial held on 4-17-73 and 4-18-73. Pltfs: rep by Jerry Melone & Robert Shepherd; Deft rep by Jack Thomas. At 11:25 A.M., Jury retires to deliberate; Jury returns w/verdict @12:05 P.M. and is discharged. Verdicts received, read and filed in Open Court, in favor of the deft and against both Pltfs. Judgment to be prepared by the Clerk. (FD-J)r	
4-18-73	Pltf's Exhs #1 thru #3; Deft's Exh. #1, in filed. r	
4-18-73	Judgment on Jury Verdict, that pltfs take nothing, that the action is dismissed on its merits, and that the defendant, Steak & Ale, Inc. recover of the pltfs, its costs of action, filed & entered. (JCS-Clerk)r (Copies mailed)	
4-17-73	xxx	
4-24-73	Defendant's bill of costs, filed. ds Costs to be taxed on May 7, 1973. Amount, \$183.00.	
5-7-73	Costs taxed in the amount of 163.00 163.00 , Jack C. Silver, Clerk. ds	

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